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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 IN RE: BEXTRA AND CELEBREX
6 MARKETING SALES PRACTICES AND
7 PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699
Judge Charles R. Breyer

8 This document relates to:

9 ROBERT NEZAREZ,

10 Plaintiff,

11 v.

12 PFIZER, INC., PHARMACIA
13 CORPORATION, and G.D. SEARLE LLC,
(FKA G.D. SEARLE & CO.),

14 Defendants.

**STIPULATION AND ORDER OF
PARTIAL DISMISSAL WITHOUT
PREJUDICE OF CASE NO. 3:06-cv-02849-
CRB**

15 **STIPULATION AND ORDER OF PARTIAL DISMISSAL WITHOUT PREJUDICE**

16 IT IS HEREBY STIPULATED AND AGREED by and between the following
17 specific Plaintiff, Robert Nezarez ("Plaintiff"), and Defendants Pfizer, Inc., Pharmacia
18 Corporation, and G.D. Searle LLC (FKA G.D. Searle & Co.) ("Defendants"), to a
19 dismissal without prejudice of the following Plaintiff's claims which were filed in a
20 consolidated, multi-plaintiff Complaint against Defendants:
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22 1. Plaintiff is Robert Nevarez; Defendants are Pfizer, Inc., Pharmacia
23 Corporation, and G.D. Searle LLC (FKA G.D. Searle & Co.);

24 2. On April 26, 2006, Plaintiff sued Defendants;

25 3. Plaintiff moves to dismiss his claims without prejudice against
26 Defendants;
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28 4. Defendants have not answered these claims;

1 5. This case is not a class action;

2 6. A receiver has not been appointed to this action;

3 7. Plaintiff has not dismissed an action based on or including the same
4 claims as those present in this suit.

5 8. This dismissal is voluntary and not on the merits.

6 9. Plaintiff will file a complaint against Defendants for his BEXTRA-related
7 injury. Plaintiff shall file this claim against Defendants in MDL-1699 In Re Bextra and Celebrex
8 Marketing and Sales Practices and Product Liability Litigation, located in the Northern District of
9 California.
10

11 This Stipulation and Order, however, is a partial dismissal in that it does not affect
12 any claims, counterclaims or issues by and between Defendants and the following
13 remaining Plaintiffs:
14

- 15 1. Harold Brown
16 2. Rodney Bywater
17 3. Lucille Cash
18 4. Bruce Cipriano
19 5. Marguerite Garven
20 6. Bruce Nazarovich
21 7. Debbie Olivares
22 8. Robert Suffridge
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24 Respectfully submitted:
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1 Dated: Jun 28, 2006

GANCEDO & NIEVES, LLP

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3 By: 

Christopher W. Taylor, Esq.

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5 Hector G. Gancedo (SB# 132139)
hgancedo@gancedonieves.com
6 Tina B. Nieves (SB# 134384)
tnieves@gancedonieves.com
7 Christopher W. Taylor (SB# 236245)
chris@gancedonieves.com
8 GANCEDO & NIEVES LLP
144 W. Colorado Boulevard
9 Pasadena, California 91105
Telephone: (626) 685-9800
10 Facsimile: (626) 685-980811 Attorneys for Plaintiffs
1213 Dated: August 8, 2006

GORDON & RESS, LLP

14 By: 

Stuart M. Gordon, Esq.

15
16 Embarcadero Center West
17 275 Battery Street 20th Floor
18 San Francisco, California 94111
19 (415) 986-5900 (Tel.)
20 (415) 986-8054 (Fax)21 Defendants' Liaison Counsel
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ORDER

WHEREFORE, the parties hereto stipulate to the dismissal of the claims of Plaintiff Robert Nezarez in the above-styled lawsuit without prejudice to re-filing, subject to the conditions stated above.

SAN FRANCISCO, CALIFORNIA, this 14th day of August, 2006.

